

**Curyung Tribal Council**

**Resolution 2012-18**

**A RESOLUTION OF CURYUNG TRIBAL COUNCIL SUPPORTING THE EPA  
BRISTOL BAY WATERSHED ASSESSMENT, URGING THE EPA TO DENY ANY  
EXTENSION OF THE COMMENT PERIOD, AND ASKING THE EPA TO AMEND  
THE PEER REVIEW COMMITTEE**

- WHEREAS: the Curyung Tribe is a federally recognized Alaska Native Tribe in the Bristol Bay region of southwest Alaska, and
- WHEREAS: Curyung Tribal Members rely on the wild salmon fishery, freshwater fisheries, and other wildlife for subsistence, and many tribal members are also employed in the commercial salmon fishery, which is the economic engine of the region, and
- WHEREAS: the Curyung Tribal Council formally petitioned in the Environmental Protection Agency to use its authority under the Clean Water Act, Section 404(c) to protect the Bristol Bay Watershed from large scale mining, and
- WHEREAS: the Curyung Tribal Council watched with concern and weighed in with letters and resolutions against the exploration of the Pebble deposit since Teck Cominco held the lease claim in 1988, some 24 years, and
- WHEREAS: the Draft Bristol Bay Watershed Assessment finds that significant salmon habitat loss would occur even under routine operation of the mine, including the direct loss of up to 87 miles of streams and 4,200 acres of wetlands due to the mine footprint alone.
- WHEREAS: the watershed assessment finds subsistence use of the mine area is high and centers on caribou, moose and trapping. And, the assessment finds that routine mine operations would destroy habitat within the mine footprint and preclude use in its vicinity, resulting in the displacement of current subsistence users.
- WHEREAS: the watershed assessment finds that the ore deposit would be mined for decades and the waste would require management for centuries or even in perpetuity, and engineered waste storage systems of mines have only been in existence for about 50 years, and are therefore untested over time.
- WHEREAS: although the watershed assessment finds that evidence from the long-term operation of similar large mines suggests that over the life span of a large mine, at least one or more failures could occur, potentially resulting in immediate, severe impacts on salmon and detrimental, long-term impacts on salmon habitat and production.

WHEREAS: the watershed assessment finds that seepage collection and treatment systems might need to be maintained for hundreds to thousands of years, and there are no examples of such successful, long-term collection and treatment systems for mines, because these time periods exceed the lifespan of most past large-scale mine activities.

WHEREAS: the watershed assessment provides sound scientific information about the lasting and severe consequences to wild salmon habitat of mining the Pebble deposit, along with freshwater fish and other subsistence wildlife.

WHEREAS: testimony at the six EPA hearings located in the Bristol Bay region was overwhelmingly in support of the watershed assessment (93.8 % of testimony in six communities – Dillingham, Levelock, Naknek, Igiugig, Nondalton, New Stuyahok).

WHEREAS: the Bristol Bay watershed assessment evaluates the scenarios of mining a 2 billion metric ton (25 years) and 6.5 billion metric ton (78 years) deposit, but the Pebble Limited Partnership has identified a 10.8 billion metric ton deposit.

WHEREAS: the watershed assessment identifies the presence of Alaska Native people in the region for 4,000 years, but our history tells us that Alaska Native people have been present for the past 10,000 years,

WHEREAS: one of the members of the peer review committee, Phyllis Weber Scannell has a clear conflict of interest due to her prior involvement in providing services for the State of Alaska in litigation involving the Pebble Limited Partnership's exploration permit, and her receipt of a "gift of travel" from the Pebble Limited Partnership.

WHEREAS: Bristol Bay Native Tribes have been faced with exploration activities, and possible Pebble mine development since at least 2003, and six Bristol Bay Native Tribes submitted a petition to the EPA to use its authority under Section 404c of the Clean Water Act on May 2, 2010, and have already been waiting two years for a response.

NOW THEREFORE BE IT RESOLVED, Curyung Tribal Council extends our full support for the EPA watershed assessment, and based on its scientific findings, we urge the EPA to initiate the 404c process. We find that the 60-day comment period for the watershed assessment is sufficient, and no further extension is necessary.

BE IT FURTHER RESOLVED: Although we support the EPA watershed assessment, we ask the EPA to expand the scope of the assessment to include the risks and impacts of mining the entire deposit (10.8 billion metric tons) so that tribal members can understand the full extent of risks and impacts of mining the Pebble deposit. We also ask the EPA to amend the assessment to reflect the presence of Alaska Native people in the region for 10,000 years.

BE IT FURTHER RESOLVED: To avoid a clear conflict of interest in the peer review committee, we urge the EPA to replace Phyllis Webber Scannell on the peer review committee.

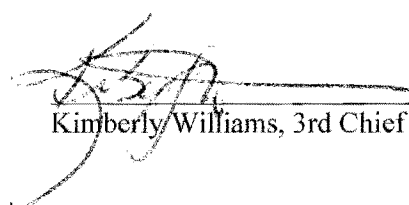
CERTIFICATION:

This resolution was duly considered and adopted by the Curyung Tribal Council in Dillingham, Alaska on June 12<sup>th</sup>, 2012 at which a quorum of Council members were in attendance.

For <u>6</u>	Against <u>0</u>	Abstain <u>0</u>
Present <u>6</u>	Absent <u>1</u>	

  
Thomas Tilden, 1st Chief

ATTEST:

  
Kimberly Williams, 3rd Chief